

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 1.53(b)**

A

Pursuant to 37 CFR 1.53(b), please file a ☐ continuation ☒ divisional of the pending prior PATENT APPLICATION of:

Inventor: Van Damme

Serial No. 09/403,559

Filed: May 1, 2001

Title: **A DEVICE FOR PERFORMING AN ASSAY, A METHOD FOR MANUFACTURING SAID DEVICE, AND USE OF A MEMBRANE IN THE MANUFACTURE OF SAID DEVICE**

Assistant Commissioner for Patents

Washington, DC 20231

Atty Dkt.: 2752-42

C# M#

Date: May 1, 2001

Group: Unassigned

Examiner: Unassigned

jc564 U.S. PTO
09/845198



This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):
Inventor(s): Van Damme

- ☒ Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.
- ☒ Priority is hereby claimed under 35 USC 119 based on the following foreign applications, the entire content of which is hereby incorporated by reference in this application:

| <u>Application Number</u> | <u>Country</u> | <u>Day/Month/Year/Filed</u> |
|---------------------------|----------------|-----------------------------|
| 97202140.6 | EP | 11/07/1997 |

☐ certified copy(ies) of foreign application(s) attached or

☐ already filed on _____ in prior appln. no. _____ filed _____

☒ already filed in PCT/EP98/04938 filed July 7, 1998

- ☐ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.--

☒ The prior application is assigned to PamGene B.V..

Power of Attorney has been granted to B. J. Sadoff et al, Reg. No. 36,663 of Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

☒ Please amend the specification by inserting before the first line --This is a continuation of application Serial No. 09/403,559, filed October 25, 1999, now pending, (which issued as U.S. Patent No. _____), which is a 371 Application of PCT/EP98/04938, the entire content of which is hereby incorporated by reference in this application.--

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.

☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

☒ Also attached: ☒ Information Disclosure Statement ; ☐ Non-Publication Request; ☒ Other: Sequence Listing Request, Change of Address, Revocation & New Power

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

| | | | |
|--|---------------------------|------------|---------|
| Basic Filing Fee | | \$ | 710.00 |
| Total effective claims | 17 - 20 (at least 20) = 0 | x \$ 18.00 | \$ 0.00 |
| Independent claims | 0 - 3 (at least 3) = 0 | x \$ 80.00 | \$ 0.00 |
| If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper) | | | \$ 0.00 |
| SUBTOTAL | | \$ | 710.00 |
| If "small entity," then enter half (1/2) of subtotal and subtract | | -\$ | (0.00) |
| SECOND SUBTOTAL | | \$ | 710.00 |
| Assignment Recording Fee (\$40.00) | | \$ | 0.00 |
| TOTAL FEE ENCLOSED | | \$ | 710.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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BJS:

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____